IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Writ Petition No.17593 of 1998
DATED 06.06.2007

BETWEEN
B.Ramulu

.. Petitioner

And

Syed Appalaswamy Degree College, Vijayawada-9,
Represented by its Secretary and Correspondent
and two others.

.. Respondents

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.17593 of 1998

ORDER:

In this writ petition, the petitioner seeks a mandamus to declare the action of the 1st respondent in notifying the post of Physical Director in the Degree College for direct recruitment as arbitrary and illegal and for a consequential direction to consider his case for promotion as a Physical Director of the Degree College.

The petitioner was appointed as a Physical Director in the Junior College of the 1st respondent and has been working as such in the said Junior College. Contending that he was eligible to be appointed as a Physical Director in the Degree College wherein a

vacancy had arisen and aggrieved by the action of the 1st respondent in issuing a notification inviting applications for appointment to the post of Physical Director in the Degree College, the petitioner has invoked the jurisdiction of this Court.

The 1st respondent has filed a counter affidavit stating that the Government has not admitted the post of 'Physical Director' in the 1st respondent Degree College to grant-in-aid.

Sri A.Venkataramana, learned counsel for the petitioner would fairly submit that he was informed that the position continues to remain as such till date and that the post of Physical Director in the Degree College has not yet been admitted to grant-in-aid.

In the absence of any provision or rule being brought to the notice of the Court, which requires the 1st respondent to consider the case of Physical Directors in Junior Colleges, which post is admitted to grant-in-aid, for appointment to the unaided post of 'Physical Director' in a Degree College, the relief sought for in the writ petition cannot be granted.

The writ petition fails and is, accordingly, dismissed. No costs.

RAMESH RANGANATHAN,J

Dt: 6.6.2007
msv.